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4 UNITED STATES DISTRICT COURT
5 DISTRICT OF NEVADA

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7 UNITED STATES OF AMERICA,

8 Plaintiff(s),

9 v.

10 ARMANDO CERVANTES,

11 Defendant(s).

Case No. 2:11-CR-212 JCM (CWH)

ORDER

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13 Presently before the court is the matter of *USA v. Cervantes*, case no. 2:11-cr-00212-JCM-
14 CWH.

15 Defendant Armando Cervantes (“defendant”) has filed a motion to continue the revocation
16 hearing currently set for Monday, March 25, 2019, at 10:00 a.m. (ECF No. 104). The United
17 States of America (“the government”) filed a response in opposition (ECF No. 105), to which
18 defendant replied. (ECF No. 106).

19 In its motion, defendant asserts that his counsel may have a scheduling conflict on that date
20 and that counsel needs additional time “to gather supporting documentation for potential
21 sentencing arguments,” which includes documentation regarding defendant’s underlying state DUI
22 case. (ECF No. 104). For those reasons, defendant requests that the court continue the revocation
23 hearing to a date on or after May 9, 2019. *Id.*

24 The government opposes defendant’s request. (ECF No. 105). The government cites
25 defendant’s lengthy history of criminal offenses and subsequent revocations of supervised release
26 as support for the public’s strong interest in a prompt hearing of the petition for revocation. *Id.*

27 In his reply, defendant asserts that his state-mandated DUI courses (resulting from his
28 underlying state DUI conviction) are scheduled to conclude on April 17, 2019. (ECF No. 106).

1 Therefore, defendant argues, should the court revoke defendant's supervised release prior to that
2 date, he will not be able to complete the course. *Id.* Defendant asserts that continuing the
3 revocation hearing to no earlier than April 17, 2019, will allow him to complete the "educational
4 component of his state sentence" and give his counsel the time needed to track his progress and
5 prepare an adequate defense. *Id.*

6 In light of the foregoing, and good cause appearing, the court will grant defendant's motion
7 to continue the revocation hearing. (ECF No. 104).

8 Accordingly,

9 IT IS ORDERED THAT defendant's motion to continue the revocation hearing (ECF No.
10 104) be, and the same hereby is, GRANTED.

11 IT IS FURTHER ORDERED THAT the revocation hearing currently set for Monday,
12 March 25, 2019, at 10:00 a.m. be, and the same hereby is, CONTINUED to April 23, 2019, at
13 10:00 a.m.

14 IT IS SO ORDERED.

15 DATED March 20, 2019.

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17 UNITED STATES DISTRICT JUDGE
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